

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA**

JAMES PLAS SAMS,

Plaintiff,

v.

RALPH DIAZ, et al.,

Defendants.

No. 2:20-CV-0568-JAM-DMC-P

**ORDER**

Plaintiff, a prisoner proceeding pro se, brings this civil rights action pursuant to 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge pursuant to Eastern District of California local rules.

On March 3, 2022, the Magistrate Judge filed findings and recommendations herein which were served on the parties and which contained notice that the parties may file objections within the time specified therein. No objections to the findings and recommendations have been filed.

The Court has reviewed the file and finds the findings and recommendations to be supported by the record and the Magistrate Judge's analysis.

///

///

///

Accordingly, IT IS HEREBY ORDERED that:

1. The findings and recommendations filed March 3, 2022, are adopted in full;
2. Defendant's amended motion to dismiss, ECF No. 47, is granted;
3. Plaintiff's unexhausted claim against Defendant Armenta is dismissed without prejudice;
4. Plaintiff's state law claims are dismissed without prejudice;
5. All other claims are dismissed with prejudice for failure to state a claim;
6. Plaintiff's motion, ECF No. 60, for substitute service is denied as moot;
7. This action is dismissed in its entirety; and
8. The Clerk of the Court is directed to enter judgment and close this file.

DATED: March 29, 2022

/s/ John A. Mendez

---

THE HONORABLE JOHN A. MENDEZ  
UNITED STATES DISTRICT COURT JUDGE